

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DOMINGUEZ GONZALEZ	:	CIVIL NO. 3:14-CV-1563
ERICKSON,	:	
Plaintiff	:	
	:	(Judge Munley)
v.	:	
	:	
UNITED STATES OF AMERICA	:	
and B. CARNEY,	:	
Defendants	:	

.....

ORDER

AND NOW, to wit, this 31st day of August 2015, upon consideration of defendants' motion (Doc. 15) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and for summary judgment pursuant to Federal Rule of Civil Procedure 56, and in accordance with the court's Memorandum of the same date, it is hereby **ORDERED** that:

1. Defendants' motion (Doc. 15) is **GRANTED**.
2. The motion to dismiss is **GRANTED** to the extent that plaintiff's FTCA claim, 28 U.S.C. §§ 1346(b), 2671 *et seq.* is **DISMISSED** and the complaint against the United States is dismissed in its entirety.
3. The motion for summary judgment is **GRANTED** with respect to plaintiff's Bivens claim.
4. The Clerk of Court is directed to **ENTER** judgment in favor of defendant B. Carney and against plaintiff on the Bivens claim.
5. The Clerk of Court is further directed to **CLOSE** this case.

6. Any appeal from this order is deemed frivolous and not in good faith.
See 28 U.S.C. § 1915(a)(3).

BY THE COURT:

s/James M. Munley

JUDGE JAMES M. MUNLEY

United States District Court